IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No. 19023 of 2001

Between:
M/s.Sri Krishna Wines, Varigedu,
Attilli Mandal, West Godavari District,
Rep.by its Proprietor Gandham Krishnarao

….. PETITIONER

AND
State of A.P. rep.by Secretary,
Revenue (Excise III) Department,
Secretariat, Saifabad, Hyderabad
and 2 others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.19023 of 2001

ORDER:

The writ petition is filed by the petitioner, questioning the cancellation of IL-24 license, which was confirmed by the appellate authority as well as the revisional authority.

According to the petitioner, he was authorized licensee for running a liquor shop at Varigedu under the name and style of M/s.Sri Krishna Wines. The license was suspended by order dated 13.07.1999 pending enquiry. The 2nd respondent also issued a show cause notice, proposing to cancel the license. The petitioner submitted his explanation to the show cause notice and requested to drop further action. However, the 2nd respondent passed orders, canceling the license, by order dated 11.08.1999. Thereafter, the petitioner filed appeal before the Deputy Commissioner, Prohibition & Excise, Kakinada. The said authority also rejected the appeal. According to the petitioner, the cancellation of license as well as rejection of the appeal was on the alleged ground of selling non-duty paid liquor by the petitioner. It is stated that the authorities have not properly appreciated the case of the petitioner and erroneously cancelled the license, which was confirmed in the appeal as well as in the revision. It is contended by the learned counsel that in similar cases, the impugned orders were set aside and license was restored.

A counter is filed on behalf of the respondents, disputing and denying the allegations. In the counter, it is stated that even a revision

was filed by the petitioner to the Government against the order of the appellate authority, and even the revision was also dismissed. Since the petitioner was indulging in illegal activities, in contravention of the licensing conditions, by way of sale of non-duty paid liquor, causing prejudice to the interests of the revenue, the license was cancelled and the same was confirmed by the appellate as well as revisional authorities.

In view of the above facts, for which the license of the petitioner was cancelled and confirmed by the appellate authority as well as the revisional authority, this Court declines to interfere with the impugned order, and the Writ Petition is, accordingly, dismissed. No order as to costs.

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S.ANANDA REDDY,J

Dated: 04.07.2007
Dsr